

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

MICHAEL MARC TRAVALINO
aka “MARK WHITE EAGLE”,
Defendant.

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PE:20-CV-00046-DC-DF

ORDER TO SHOW CAUSE

This matter is before the undersigned Magistrate Judge through a standing order of referral pursuant to 28 U.S.C. § 636 and Appendix C of the Local Court Rules for the Assignment of Duties to United States Magistrate Judges.

Court records indicate Defendant Michael Marc Travalino aka “Mark White Eagle” (“Travalino”) has failed to participate in this case or appear for hearings as ordered by the Court. (*See* Docs. 43, 47, 53). On at least two separate occasions, the Court has ordered Travalino to appear in-person for hearings. In one instance, the Court ordered Travalino to appear in-person for a hearing on February 16, 2022, regarding a Motion to Withdraw as Attorney filed by his former counsel, Charles S. Chambers. (Docs. 40, 43). Travalino failed to so appear, and without any explanation as to good cause. (Doc. 47 at 1 n.2). In a separate but related instance, the Court again ordered Travalino to appear in-person to notify the Court of his acquisition of new counsel, or in the event Travalino desired to remain *pro se*, to “inform the Court concerning how he wishes this case to proceed.” *Id.* at 3. On March 23, 2022, Travalino again did not make any appearance, nor did he provide the Court with any sufficient explanation. (Doc. 59).

The Court has made every possible effort to communicate with Travalino. It appears to the Court that Travalino is not interested in defending against the instant lawsuit and abiding by the

Court's orders. Travalino additionally has currently pending a Third Amended Motion for Return of Seized Property. (Doc. 38).


Consequently, it is **ORDERED** that Travalino **SHOW CAUSE** as to why the Court should not rule in favor of the Government in this case for Travalino's failure to defend. Travalino¹ is therefore **ORDERED** to appear in-person on **Wednesday, April 6, 2022, at 2:00 P.M. CT** at the **United States Courthouse, 2450 North State Highway 118, Alpine, Texas 79830**. If Travalino does not appear on April 6, 2022, as ordered, the Court will infer that Travalino has abandoned his defense.

It is further **ORDERED** the Clerk of Court to serve and mail a copy of this order by certified mail with return receipt requested to Travalino's last known address as follows:

Michael Marc Travalino
P.O. Box 1341
Alpine, TX 79831

It is so **ORDERED**.

SIGNED this 23rd day of March, 2022.



DAVID B. FANNIN
UNITED STATES MAGISTRATE JUDGE

1. Attendance by Travalino is necessary. Counsel for the Government need not be present, but may attend via the provided Zoom link.